



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

ROBIN HODGKIN, M.P.A.
Director

STEPHEN W. MUNDAY, M.D., M.P.H.
Health Officer

CERTIFIED MAIL # 7015 0640 0001 0805 5936

November 27, 2017

John & Harlene Jackson, Trustees
Jackson's Hide-A-Way
P.O. Box 178
Ocotillo, CA 92259

**Penalty Citation for the Jackson's Hide-A-Way
Water System (1300629)
CITATION NO. 05-43-17C-005**

The Imperial County Division of Environmental Health, Local Primacy Agency (LPA) is issuing to you the attached citation for failure to submit the 2016 triennial VOC samples for your public water system within the required timeframes, as required by Section 64469 of Title 22, California Code of Regulations. The LPA received the sample results, but they were submitted after the 10th of the month following the sampling event.

A stipulated penalty citation amount of **One Hundred Dollars (\$100) is now due in full amount and must be paid within fifteen (15) days of the receipt of the attached citation.** In addition to the full payment amount, the citation form must be filled out, signed and returned in order to fully execute the stipulation agreement.

If you decide not to stipulate to the alleged violations, a formal citation order will be issued and may carry a penalty assessment of up to \$1,000 per day for each day that a violation occurred. In addition to the imposed penalty, the water system will also be liable for the time and materials used in the preparation of the citation order, which will be billed at the Department's fully burdened rate of \$137 per hour.

Any person who is aggrieved by a citation issued by the LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the citation. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the citation. The date of issuance is the date when the LPA mails or serves a copy of the citation, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

The LPA has the authority to issue you the attached citation pursuant to Sections 116650 and 116725(b) of the California Health and Safety Code. If you have any questions about this citation,

Division of Environmental Health, 797 Main Street, Suite B, El Centro, CA 92243

(442) 265-1888 • (760) 352-1309 Fax • icphd.org

or if you would like to meet with our office to discuss the stipulated penalty offer by the Local Primacy Agency, please contact us no later than 15 days of receipt of the citation. We may be contacted at 442-265-1888.

Sincerely,



Jorge A. Perez
Environmental Health Services Manager
Local Primacy Agency

Encl: Stipulated Penalty Citation No. 05-43-17C-005

IMPERIAL COUNTY ENVIRONMENTAL HEALTH
LOCAL PRIMACY AGENCY

CALIFORNIA SAFE DRINKING WATER ACT VIOLATION
STIPULATED PENALTY CITATION

(YOU MUST SIGN AND RETURN IF YOU ACCEPT THIS STIPULATION)

\$100.-
CK#1949
11/30/17
L.R.

Complainant, the Imperial County Local Primacy Agency (LPA) and Respondent(s) hereby agree that the stipulation will be a final resolution of the violations alleged below. The parties stipulate to the following facts and violations of law:

LPA CITATION NUMBER: 05-43-17C-005

RESPONDENT: Jackson's Hide-A-Way
121 Via De Coyote
Ocotillo, CA 92259

DEC 01 2017
IMPERIAL COUNTY
ENVIRONMENTAL
HEALTH

HEALTH & SAFETY (HSC) SECTION VIOLATED: N/A

TITLE 22, CALIFORNIA CODE OF REGULATIONS (CCR) VIOLATED: §64469

DESCRIPTION OF VIOLATION:

VOC samples taken on May 25, 2016 and reported by the lab on June 20, 2016, were submitted to the LPA on October 19, 2017. Pursuant to §64469, analytical results of all sample analyses completed in a calendar month shall be reported to the LPA no later than the 10th day of the following.

DATE(S) OF VIOLATION: July 1, 2016 – July 10, 2016

DIRECTIVE(S):

The Water System is hereby directed to comply with §64469, Title 22, CCR in all future monitoring periods by submitting all required samples collected in the calendar month to the LPA no later than the tenth day of the following month.

STIPULATION DUE DATE: 15 DAYS FROM THE DATE OF SERVICE

TOTAL MONETARY PENALTY: \$100

NUMBER OF COUNTS: 1

FURTHER STATEMENT BY RESPONDENT(S)

I acknowledge that the violation(s) of the Health and Safety Code and/or Title 22, California Code of Regulations (CCR) described above and on Exhibit 1 attached (if applicable), have occurred and request that the Imperial County Local Primacy Agency resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* on the following page and voluntarily waive any and all procedural rights to contest this matter in an Administrative Hearing. I have enclosed a check or money order payable to the Imperial County Division of Environmental Health in the amount of the penalty described above. I understand that if there are insufficient funds when the check is deposited, the LPA has the discretion to determine that this agreement is null and void, and can prosecute this allegation as if no agreement has been executed. I further acknowledge that the enforcement fee billed at a rate of \$137 per hour for preparation of this Stipulated Penalty Citation will be paid in full at the next quarterly billing cycle for this public water system.

RESPONDENT has freely and voluntarily agreed to this Citation Stipulation (hereinafter "Stipulation"), and has been afforded the opportunity to consult with counsel prior to entering into this Stipulation. It is expressly understood and agreed that no representations or promises of any kind, other than as contained here, have been made by any party to induce any other party to enter into this Stipulation, and that said Stipulation may not be altered, amended, modified, or otherwise changed except by writing executed by each of the parties hereto.

**IMPERIAL COUNTY ENVIRONMENTAL HEALTH
LOCAL PRIMACY AGENCY**

This Stipulation constitutes the entire understanding of the parties concerning the settlement of this proceeding. There are no restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly set forth herein or contained in separate written documents delivered or to be delivered pursuant hereto, and each party expressly acknowledges that it has not relied upon any restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly contained herein.

If necessary, this Stipulation may be executed in counterparts, each of which shall be an original, and all together shall form one agreement. In addition, for purposes of this Stipulation, facsimile signatures will be treated as originals until the applicable page(s) bearing non-facsimile signatures have been received by the parties.

The effective date of this Stipulated Penalty Citation is the date that the Deputy Director of Environmental Health signs it.

Dated: 11/30/2017 Signature: 

Printed Name: Bill Jackson

Job Title: Manager

Name and Address of Water System: Jackson's Hideaway RV Park
121 Via De Coyote, Ocotillo, CA 92259

For Imperial County Environmental Health Use Only

STATEMENT BY DEPUTY DIRECTOR:

The foregoing stipulation has been adopted by the Imperial County Local Primacy Agency as its final decision and order and is effective upon execution below by the Deputy Director of the Imperial County Division of Environmental Health.

IT IS SO ORDERED:

Dated: 12/4/17


Jeff Lamore, Deputy Director
Imperial County Division of Environmental Health
Local Primacy Agency

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COUNTY OF IMPERIAL

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day of November 2017,



Jorge A. Perez